

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

FOSTER BATES,	)	
	)	
Petitioner,	)	
	)	
v.	)	CV-09-6-B-W
	)	
STATE OF MAINE,	)	
	)	
Respondent.	)	

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objection having been filed to the Magistrate Judge's Recommended Decision filed January 14, 2009, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the 28 U.S.C. § 2254 Petition (Docket # 1) be and hereby is DISMISSED without prejudice.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 9th day of February, 2009